

Hearing Date: February 7, 2018, 9:30 a.m. (Atlantic Standard Time)

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

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In re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,  as representative of  THE COMMONWEALTH OF PUERTO RICO, <i>et</i> <i>al.</i> ,  Debtors. <sup>1</sup>	PROMESA Title III  No. 17 BK 3283-LTS  (Jointly Administered)
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In re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,  as representative of  THE COMMONWEALTH OF PUERTO RICO,  Debtor.	PROMESA Title III  No. 17 BK 3283-LTS  <b>This filing relates only to the Commonwealth and shall only be filed in the lead Case No. 17 BK 3283-LTS.</b>
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**JOINDER OF SERVICE EMPLOYEES INTERNATIONAL UNION AND  
INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE AND  
AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW) TO JOINT  
MOTION OF AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL  
EMPLOYEES, AFL-CIO, AND AMERICAN FEDERATION OF TEACHERS, AFL-CIO,  
FOR AN ORDER TO PERMIT THE PROCESSING THROUGH RESOLUTION OF  
EMPLOYMENT ARBITRATION AND GRIEVANCE PROCEEDINGS**

The Service Employees International Union (“SEIU”) and International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) (“UAW”) on behalf of themselves, their local affiliates in Puerto Rico, and their members hereby joins in the Joint Motion (the “Joint Motion”) of American Federation of State, County and Municipal

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3566-LTS); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Employees International Union, AFL-CIO (“AFSCME”) and American Federation of Teachers, AFL-CIO (“AFT”), for an Order pursuant to 11 U.S.C. §§ 105 and 362 with respect to the processing through resolution of employment arbitration and grievance proceedings, including the position that the automatic stay is not applicable to such arbitrations. (Docket No. 2245).

The SEIU and UAW note that the Supreme Court has long held that grievance-arbitration structures are so integral to labor agreements that an “agreement to arbitrate grievance disputes is the quid pro quo for an agreement not to strike” and reflects a considered conclusion that “industrial peace can be best obtained only in that way.” *Textile Workers v. Lincoln Mills*, 353 U.S. 448, 455 (1957). Here, Puerto Rico’s legislative scheme reflects these principles by providing for the mandatory arbitration by government agencies of disputes under public collective bargaining agreements, in tandem with a statutory obligation on the part of public sector unions not to strike. This scheme, viewed in its entirety, and the continued good-faith compliance by the Unions with their no-strike obligations, weighs heavily in favor of granting the Joint Motion, so that Puerto Rico’s legislative labor relations scheme is carried forward as intended by the Commonwealth.

### **CONCLUSION**

For all the forgoing reasons, the SEIU and UAW respectfully request that the Court grant the Joint Motion as provided in the proposed Order submitted with the Joint Motion.

Dated: January 16, 2018

/s/ *Richard M. Seltzer*

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Attorneys for International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW) and  
Service Employees International Union

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 16<sup>th</sup> day of January, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will notify all counsel of record and caused to be mailed or emailed a copy, as provided in the Court-approved Case Management Procedures in this case.

Dated: January 16, 2018

/s/ Hiram M. Arnaud

HIRAM M. ARNAUD